

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-13 are currently pending. No claims are amended by the present amendment, and thus, no new matter is added.

In the outstanding Office Action, Claims 1-13 were rejected under 35 U.S.C. §102(e) as anticipated by Ellis et al. (U.S. Pat. Pub. No. 2006/0140584, herein “Ellis”).

Addressing now the rejection of Claims 1-13 under 35 U.S.C. §102(e) as anticipated by Ellis, Applicants respectfully traverse this rejection.

Claim 7 recites, in part,

a setting step of setting a keyword;
a broadcast signal reception step of receiving a broadcast signal broadcast from a broadcast station;
a first recording step of temporarily recording a last predetermined amount of the broadcast signal received by said broadcast signal reception step as broadcast data in a buffer on a recording medium;
a communication step of repeatedly transmitting request information to an external apparatus every predetermined interval of time to request real-time broadcast information corresponding to contents of said broadcast signal currently being received, and receiving the real-time broadcast information which said external apparatus transmits in response to each transmission of said request information;
a detection step of detecting whether or not said real-time broadcast information received by said communication step includes said keyword; and
a second recording step of recording said broadcast data on said recording medium as new recorded broadcast data in response to said detection step detecting that said real-time broadcast information includes said keyword, such that a part of said broadcast data temporarily recorded in said buffer is stored as a first portion of the new recorded broadcast data.

Claims 1 and 13 recite corresponding apparatus and computer readable medium claims.

Ellis describes a PVR which is able to use keywords entered by the user to discover upcoming programs or previously recorded programs which match the entered keyword.

However, Ellis never describes or suggests repeatedly transmitting request information to an external apparatus every predetermined interval of time to request real-time broadcast information corresponding to contents of said broadcast signal currently being received, detecting whether or not said real-time broadcast information received by said communication step includes said keyword and recording said broadcast data on said recording medium as new recorded broadcast data in response to said detection step detecting that said real-time broadcast information includes said keyword, such that a part of said broadcast data temporarily recorded in said buffer is stored as a first portion of the new recorded broadcast data, as is recited in Claim 7.

The outstanding Action, states on page 3 that paragraphs 0006, 0470, and 0478 of Ellis describe the communication step of repeatedly transmitting request information, Applicants respectfully traverse this assertion.

Specifically, paragraph 0006 merely describes a user is able to record a live program and as a result of the user's request to record the program, any previously buffered information is ignored. Paragraph, 0470 describes that when a user decides to display a program guide screen, the live programming which the user was previously watching is paused. Further, once the user is finished with the programming guide the user is given the option to resume the paused program. Paragraph 0478 describes that a processor in a DVR has spare computing power available.

However, neither paragraph 0006, 0470 nor 0478 of Ellis makes any mention of ***repeatedly transmitting request information*** to an external apparatus every predetermined interval of time to request ***real-time broadcast information*** corresponding to contents of said broadcast signal ***currently*** being received.

In other words, the communication step of Claim 7 sends repeated requests which result in the reception of ***real-time broadcast information*** which corresponds to the broadcast

signal ***currently being received***. This feature is nowhere to be found in the cited paragraphs 0006, 0470 nor 0478 of Ellis or any other portion of Ellis.

Furthermore, the outstanding Action cites paragraphs 0228 and 0193 of Ellis as describing a detection step of detecting whether or not said real-time broadcast information received by said communication step includes said keyword recited in Claim 7, Applicants respectfully traverse this assertion.

Specifically, paragraph 0228 of Ellis describes that a user can enter a keyword for keyword-based recordings. Paragraph 0193 describes that a menu can be displayed which enables the user to view a program guide, select PPV or view recordings.

However, nothing in this portion of Ellis describes detecting whether or not said ***real-time broadcast information*** received by said communication step includes said keyword.

In other words, Ellis describes that recordings can be generated based on a keyword but does not describe that repeatedly received real-time broadcast information is polled and when a keyword is identified, a recording is generated. The outstanding Action cites paragraph 0478 as disclosing real-time broadcasting. However, as is noted above, this portion of Ellis merely discloses that a processor in a DVR has spare computing power available. This feature of Ellis is ***not*** equivalent to receiving up-to-date ***real-time*** information about a program and recording the program when a key-word in the up-to-date information is identified.

In addition, with regard to the feature recited in Claim 7 that the part of said broadcast data temporarily recorded in said buffer is stored as a first portion of the new recorded broadcast data, the outstanding Action cites paragraph 0239 of Ellis as disclosing this feature. Applicants respectfully traverse this assertion.

Specifically, paragraph 0239 of Ellis describes that a user is able to modify the before/after padding time which enables the user to ensure that no portion of the program is

missed due to early/late program airing. However, Applicants note that this portion of Ellis is not equivalent to moving broadcast data from a buffer to the recording medium so that the temporary stored data is stored as the first portion of the new recorded broadcast data.

In other words, in the claimed invention, when a keyword in the real-time broadcast information triggers the system to record the new recorded broadcast data, the first portion of the broadcast data which is stored in the buffer is moved to the recording medium to be the first portion of the new recorded broadcast data. This feature is useful because it is possible that the keyword in the real-time broadcast information that triggers the recording may show up after a program has started. Thus, the claimed invention is configured such that a part of said broadcast data temporarily recorded in said buffer is stored as a first portion of the new recorded broadcast data. This feature is not disclosed in Ellis.

Accordingly, Applicants respectfully submit that Claim 7 and similarly Claims 1 and 13, and claims depending respectfully therefrom, patentably distinguish over Ellis.

Consequently, as no further issues are believed to be outstanding in the present application, the present application is believed to be in condition for formal Allowance. A Notice of Allowance for the claims is earnestly solicited.

Respectfully submitted,

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